

SENATE BILL 2081

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 37
and Title 40, relative to judicial diversion for
juveniles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by adding the
following as a new subsection:

(d)

(1) If a child admits to the commission of a delinquent act and agrees to enter
into judicial diversion, the court may defer further proceedings pending the child's
completion of judicial diversion. The court shall place the child on probation and impose
any reasonable conditions of probation without entering a judgment of guilty. Probation
conditions shall not include removing the child from the custody of the child's parents or
guardian.

(2) The court shall file a judicial diversion agreement setting out all conditions of
probation and the child shall be subject to the agreement for up to one (1) year.

(3) If the child violates the conditions of probation imposed by the court, the
court shall hold a hearing to determine whether the violation occurred and, if so, whether
to terminate the judicial diversion agreement or impose any new conditions of probation
on the child. If the court terminates the agreement, the child shall be found delinquent
based on the child's prior admission, and shall be subject to disposition as provided in
this section.

(4) If the child does not violate any of the conditions of the probation, the court shall dismiss the proceedings against the child upon completion of the period of probation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.